

No.

200300152



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pure Seed Testing, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR SELLING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

FESCUE, TALL

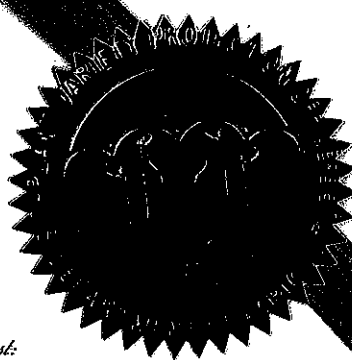
'Tar Heel II'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this third day of May, in the year two thousand and seven.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

1. NAME OF OWNER Pure Seed Testing, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME PST-5TR1		3. VARIETY NAME Tar Heel II	
4. ADDRESS (Street and No., or RFD No., City, State, and ZIP Code, and Country) P.O. Box 449 Hubbard, OR 97032		5. TELEPHONE (include area code) (503) 263-0719		FOR OFFICIAL USE ONLY PVPO NUMBER 200300152	
		6. FAX (include area code) (503) 263-0703		FILING DATE February 10, 2003	
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION Oregon		9. DATE OF INCORPORATION 1975	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)				FILING AND EXAMINATION FEES: \$ 2705- DATE 2/10/03 CERTIFICATION FEE: \$ 768.00 DATE 4/23/2007	
Melodee L. Fraser, Ph.D. Pure Seed Testing, Inc. P.O. Box 176 Rolesville, NC 27571		Crystal Rose-Fricker Pure Seed Testing, Inc. P.O. Box 449 Hubbard, OR 97032			
11. TELEPHONE (Include area code) (919) 556-0146		12. FAX (Include area code) (919) 556-0174		13. E-MAIL mikfraser@aol.com	
				14. CROP KIND (Common Name) Tall Fescue	
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)					
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination fee (\$2,705), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)					
19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input type="checkbox"/> YES (If "yes," answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no," go to item 22)					
20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED					
21. DOES THE OWNER SPECIFY THAT THE CLASSES BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1, 2, 3, etc. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)					
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)					
23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)					
24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER <i>Crystal Rose-Fricker</i>			SIGNATURE OF OWNER <i>Melodee L. Fraser</i>		
NAME (Please print or type) Crystal Rose-Fricker			NAME (Please print or type) Melodee L. Fraser		
CAPACITY OR TITLE President		DATE 02/06/03		CAPACITY OR TITLE Director of Research-East	
				DATE 5Feb03	

Exhibit A – Amended 25 August 2006**Origin and Breeding History of 'Tar Heel II' Tall Fescue**

'Tar Heel II' (PST-5TR1) tall fescue was developed and released by Pure-Seed Testing, Inc. as part of a breeding effort to improve brown patch resistance in tall fescue. During the summer of 2000, plots in turf evaluation trials seeded during the late summers of 1997 and 1998 near Rolesville, NC were evaluated for brown patch susceptibility and summer turf performance. In August, plants were dug from 16 plots exhibiting brown patch resistance and good turf quality.

Selected plants were used to establish an isolated 4550-plant nursery near Hubbard, OR in October 2000. They were planted in alternate rows with plants selected from 'Safari' that had survived salt screening at 12,000 ppm NaCl or had been selected as heat, drought and brown patch survivors near Rolesville and with plants from population PST-5S2, which was a Safari improvement project. During the spring of 2001, most plants were removed from this nursery, prior to anthesis. Selection criteria for remaining plants were freedom from stem rust, bright green color, low growth habit and high number of reproductive tillers. During the summer of 2001, 159 phenotypically similar plants were selected. Seed was harvested from these plants, bulked and designated PST-5TR1. These plants had received additional pollen from 192 plants from the 5S2 population.

The 159 plants harvested to produce the first Breeder seed of Tar Heel II traced their origin to 11 turf plots near Rolesville. These plants traced their maternal origins to the following sources: 47% traced their origin to 'Tar Heel'; 33% traced their origin to a plant collected near Holly Springs, MS; 11% traced their origin to 'Apache'; 6% traced their origin to 'Gazelle' and 3% traced their origin to 'Rebel Jr.'

Seed production of Tar Heel II is limited to three generations of increase from Breeder seed: one each of Foundation, Registered and Certified. Pure-Seed Testing, Inc. maintains Breeder seed in Oregon and will re-generate Breeder seed as needed. Tar Heel II has been stable and uniform through the Certified seed generation. No variants have been observed in the production or multiplication of Tar Heel II tall fescue.

Exhibit B – Amended 6 April 2007

Statement of Distinctness for 'Tar Heel II' Tall Fescue

'Tar Heel II' is most similar to 'Tar Heel' tall fescue. They differ in the following characteristics:

1. Auricle hairiness is present in Tar Heel II, while it is absent in Tar Heel (Certificate No. 9600364).
2. Tar Heel II has a narrow-tapering panicle shape, while Tar Heel has an ovate panicle shape (Certificate No. 9600364).
3. Tar Heel II has a mean flag leaf length at least 2.9 cm shorter than Tar Heel (Tables 1, 2).
4. Tar Heel II has a mean panicle length at least 2 cm shorter than Tar Heel (Tables 1, 2).
5. Tar Heel II has a mean flag leaf width at least 0.7 mm narrower than Tar Heel (Tables 1, 2).

4. MATURITY: (continued)

6 = Bonanza

7 = Late (Silverado)

8 = ()

9 = Very late

2003 00152

Date Headed **12 May 01**

Location **Hubbard, OR**

_____ Days earlier than _____
 Maturity same as _____
4 Days later than **1**

} Comparison Variety

* 5. MATURE PLANT HEIGHT CM: (Average of 100 culms * INTERNODE LENGTH CM: (Table 1)
 from crown to top of panicle, if panicle is nodding, straighten) (First internode subtending the flag leaf)

92 cm Height
 _____ cm Shorter than _____
 Height same as _____
007 cm Taller than **9**

} Comparison Variety

16 cm Internode Length
 _____ cm Shorter than _____
 Length same as _____
1.6 cm Longer than **9**

} Comparison Variety

* HEIGHT AT EAR EMERGENCE CM: (Flag leaf height from crown to flag leaf collar) (Table 1)

44 cm Height
 _____ cm Shorter than _____
 Height same as _____
35 cm Taller than **9**

} Comparison Variety

* 6. GROWTH HABIT: (Mature Plants)

7 1 = Prostrate () 3 = Semiprostrate () 5 = Horizontal ()
 7 = Semierect (Rebel) 9 = Erect (Mini Mustang)

* 7. RHIZOMES (Psuedo):

0.0 mm Length **1** 1 = Absent () 2 = Rare (Rebel) 3 = Common ()

* 8. LEAF BLADE: (Tiller leaves/ turf color)

* **7** Color: 1 = Light green () 3 = Medium light green () 5 = Green ()
 7 = Medium dark green () 9 = Very dark green ()

6 Specify rating of comparison variety **9**

* **1** Anthocyanin: 1 = Absent () 9 = Present ()

* **1** Basal Hairs: 1 = Absent () 9 = Present ()

* **5** Margins: 1 = Smooth () 5 = Semi-rough () 9 = Rough ()

8. LEAF BLADE: (continued)

200300152

* 5 Width Class: 1 = Very coarse () 3 = Coarse () 5 = Medium ()
7 = Fine () 9 = Very Fine ()

* TILLER LEAF LENGTH CM: (First leaf subtending the flag leaf) (Table 1) * TILLER LEAF WIDTH MM: (Table 1)

<u>17</u> cm Tiller Leaf Length	<u>7.3</u> mm Tiller Leaf Width
<u>1.4</u> cm Shorter than <u>9</u>	<u>1.5</u> mm Narrower than <u>9</u>
Length same as _____	Width same as _____
_____ cm Taller than _____	_____ mm wider than _____
} Comparison Variety	} Comparison Variety

FLAG LEAF LENGTH CM: (Table 1)

FLAG LEAF WIDTH MM: (Table 1)

<u>14</u> cm Flag Leaf Length	<u>6.5</u> mm Flag Leaf Width
<u>1</u> cm Shorter than <u>9</u>	<u>1</u> mm Narrower than <u>9</u>
Length same as _____	Width same as _____
_____ cm Longer than _____	_____ mm Wider than _____
} Comparison Variety	} Comparison Variety

* 9. LEAF SHEATH: (Basal Portion)

* 1 Anthocyanin (seedling): 1 = Absent (K31) 9 = Present ()
* 9 Auricle Hairiness: 1 = Absent () 9 = Present ()

* 10. PANICLE: (At seed maturity except where noted.)

* 1 Shape: 1 = Narrow-tapering () 5 = Ovate () 7 = Oblong () 9 = Other (specify)
* 5 Type: 1 = Compact (appressed) 5 = Intermediate () 7 = Open () 9 = Other (specify)
* 9 Orientation: 1 = Nodding () 9 = Erect ()
* 9 Branch Pubescence: 1 = Glabrous () 9 = Pubescent ()
* 1 Anther Color (At anthesis): 1 = Yellowish Green 2 = Green 3 = Bluish Green
4 = Purplish 5 = Reddish 6 = Other (Specify)
* 2 Glume Color (At anthesis): 1 = Yellowish Green 2 = Green 3 = Bluish Green
4 = Purplish 5 = Reddish 6 = Other (Specify)

* 20 cm Panicle Length (from base to tip, if nodding, straighten; after anthesis) (Table 1)

2 cm Shorter than 9
Length same as _____
_____ cm Longer than _____
} Comparison Variety

* 2 4 7 6 mg per 1000 seeds

1 9 9 mg Less than 9

Weight same as _____

_____ mg More than _____

Comparison Variety

PALEA: (Keels or Margins)

5 Hairs: 1 = Absent ()

5 = Short (Missouri 96)

9 = Long ()

LEMMA:

5 Hairs: 1 = Absent (Kenhy)

5 = Several ()

9 = Many (Missouri 96)

5 . 8 mm Lemma Length (Mature)

1 . 2 5 mm Lemma Width

0 . 1 mm Shorter than 9

Length same as _____

_____ mm Longer than _____

Comparison Variety

0 5 mm Narrower than 9

Width same as _____

_____ mm Wider than _____

Comparison Variety

*AWNS: 9 AWNS: 1 = Absent () 9 = Present (Falcon)

80 % Plants with awns

1 . 4 mm Awn length (Of those present.)

_____ mm Shorter than _____

Length same as _____

0 . 7 mm Longer than 1

Comparison Variety

12. DISEASE, INSECT, AND NEMATODE REACTION: (0= Not Tested 1= Least Resistant 9= Most Resistant)

0 Melting-out *Drechslera poae*

0 Blind Seed *Gloeotinia temulenta*

0 Leaf Spot *D. siccans*

0 Dollar Spot *Lanzia*, *Mollerdiscus* spp.

7 Net Blotch *D. dictyoides*

5 Stem Rust *Puccinia graminis*

7 Brown Patch *Rhizoctonia solani*

0 T. Blight *Typhula incarnata*

0 C. Leaf Spot *Cercospora fectuae*

6 Pythium Blight *Pythium* spp.

0 Pink Snow Mold *Gerlachia nivalis*

0 Powdery Mildew *Erysiphe graminis*

0 Silver Top *F. tricinatum*, *F. roseum*

6 Crown Rust *Puccinia coronata*

_____ Other Disease _____

_____ Other Insect _____

_____ Other Nematode _____

13. ENVIRONMENTAL STRESS

5 Drought Stress 1 = Susceptible () 5 = Tolerant () 9 = Resistant ()

5 Shade Stress 1 = Susceptible () 5 = Tolerant () 9 = Resistant ()

13. ENVIRONMENTAL STRESS: (continued)

5 Winter Stress

1 = Susceptible ()

5 = Tolerant () 9 = Resistant ()

200300152

14. GIVE VARIETY OR VARIETIES THAT MOST CLOSELY RESEMBLE THE APPLICATION VARIETY. For the following characteristics, indicate the degree of resemblance with the following scale:

1 = Application variety is less than comparison variety 2 = Same as 3 = More than, better, greater, darker, etc.

Character	Varieties	Rating	Character	Varieties	Rating
Leaf Width	Tar Heel	2	Leaf Color	Tar Heel	2
Panicle Color	Tar Heel	2	Panicle Shape	Tar Heel	2
Seed Size	Tar Heel	1	Cold Injury	Tar Heel	2
Winter Color	Tar Heel	2	Heat	Tar Heel	3
Disease	Tar Heel	3			

* 15. EXPERIMENTAL: Give a brief summary of the experimental design utilized to collect the data used on this form. Cultural conditions, number of plants measured and plant spacing must be specified.

A seed yield trial was seeded at 3.6 kg/ha during fall of 2000 near Hubbard, OR (south location). A spaced-plant trial was planted fall of 2000 near Hubbard, OR (north location). Twenty-five tillers from each of three replications in both trials were measured 2001 for a total of 75 tillers/cultivar.

Exhibit D**Additional Description of 'Tar Heel II' Tall Fescue**

1. Tar Heel II has shown good resistance to brown patch (Table 4).
2. Tar Heel II has shown moderate resistance to stem rust (Table 5).
3. Tar Heel II has shown good salt tolerance, compared to other tall fescues (Table 6).

Table 1. 2002 mean morphological measurements for entries in a tall fescue spaced plant trial planted fall of 2001 near Hubbard, OR (North location).

Entry	Plant Height (cm)	Flag Leaf Height (cm)	Internode Length (cm)	Tiller Leaf Length (cm)	Tiller Leaf Width (mm)	Flag Leaf Length (cm)	Flag Leaf Width (mm)	Panicle Length (cm)	Tillers/12.7 cm Row (#)
Kentucky 31	130.5	71.3	27.4	23.9	8.5	17.2	6.6	27.6	38.3
Tar Heel	99.7	46.1	21.7	17.5	7.1	16.6	7.2	23.8	57.6
Tar Heel II	91.9	44.4	15.9	17.3	7.3	13.7	6.5	20.4	55.3
Rebel Jr.	85.3	41.1	14.3	18.7	8.8	14.7	7.5	22.2	39.1
LSD (0.05)	3.6	2.4	1.1	1.1	0.5	1.0	0.6	1.1	12.1

Table 2. 2002 mean morphological measurements for entries in a tall fescue seed yield trial seeded fall of 2001 near Hubbard, OR (South location).

Entry	Plant Height (cm)	Flag Leaf Height (cm)	Internode Length (cm)	Tiller Leaf Length (cm)	Tiller Leaf Width (mm)	Flag Leaf Length (cm)	Flag Leaf Width (mm)	Panicle Length (cm)	Tillers/12.7 cm Row (#)
Kentucky 31	150.1	96.7	30.7	29.0	6.7	16.2	4.7	25.9	26.0
Tar Heel	135.7	82.2	29.0	26.0	5.6	20.0	4.9	23.2	41.0
Tar Heel II	132.0	75.9	29.4	21.0	6.3	16.3	5.9	21.2	52.9
LSD (0.05)	4.5	3.7	1.8	1.8	0.6	1.5	0.6	1.5	10.3

Table 3. 2002 mean initial heading dates for entries in tall fescue spaced-plant and seed yield trials planted fall of 2001 near Hubbard, OR.

Entry	Spaced-Plant (North location)	Seed Yield (South location)
Matador	16 May	12 May
Rebel Jr.	15 May	--
Tar Heel	14 May	30 April
Tar Heel II	12 May	30 April
Kentucky 31	08 May	25 April
LSD (0.05)	2 days	5 days

Table 4. 2002 mean brown patch ratings for entries in a tall fescue turf trial seeded fall of 2001 near Rolesville, NC.

Entry	31 July	5 Aug	21 Aug	Mean
Tar Heel II	6.7	6.7	7.0	6.8
Tar Heel	6.7	7.0	6.0	6.6
Kentucky 31	3.3	4.0	3.3	3.6
Silverado	3.0	2.3	2.3	2.6
Bonsai	3.0	2.3	1.7	2.3
LSD (0.05)	1.9	1.9	2.0	1.7

¹9 = no disease

Table 5. 2002 mean stem rust ratings for entries in a tall fescue seed yield trial seeded fall of 2001 near Hubbard, OR (South location).

Entry	Mean
Matador	7.0 ¹
Kentucky 31	6.0
Tar Heel II	5.0
Tar Heel	4.0
Silverado	3.0
Eldorado	2.0
LSD (0.05)	2.2

¹9 = no disease

Table 6. 2002 mean salt damage ratings for entries in a tall fescue greenhouse salt bench trial.

Entry	Salt Damage			# Alive	
	29 July	16 Aug	11 Sep	11 Sep	24 Oct
Tar Heel II	3.0¹	2.3	2.0	38²	36
Kentucky 31	2.7	1.7	1.7	35	26
Silverado	3.0	1.7	1.7	27	19
Tar Heel	2.7	1.3	1.0	27	10
LSD (0.05)	1.0	1.0	0.8	11	12

¹5 = no damage; ²original $n = 42$

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICEEXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C.652a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)

Pure Seed Testing, Inc.

2. TEMPORARY DESIGNATION
OR EXPERIMENTAL NUMBER

PST-5TR1

3. VARIETY NAME

Tar Heel II

4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)

PO Box 449
Hubbard, OR 970325. TELEPHONE
(include area code)

503-263-0719

6. FAX (include area code)

503-263-0703

7. PVPO NUMBER

2003-00-152

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. ☒ YES ☐ NO9. Is the applicant (individual or company) a U.S. national or U.S. based company?
If no, give name of country☒ YES ☐ NO10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer the following:

a. If original rights to variety were owned by individual(s), is (are the original owner(s) a U.S. national(s)?

☐ YES ☐ NO If no, give name of country

b. If original rights to variety were owned by a company, is the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (If needed, use reverse for extra space):

Pure Seed Testing, Inc. has licensed Tar Heel II to Turf Seed, Inc.

PLEASE NOTE:

Plant variety protection can be afforded only to owners (now licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-5881 (voice) or (202) 720-7808 (TDD).

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

STD-470-E (02-97) (Destroy previous editions)